

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

ATTY.'S DOCKET: WALLACH=12A

In re Application of:) Art Unit: 1644
David WALLACH et al)
Appln. No.: 08/476,862) Examiner: P. Gambel
Filed: June 7, 1995)
For: TNF LIGANDS) Washington, D.C.

DECLARATION UNDER 37 C.F.R. §1.804

I, the undersigned Danny Suisa, hereby declare and state as follows:

Since 1987 I have been Senior Laboratory Technician at Inter-Lab Ltd., Ness-Ziona, Israel.

Prior to April 1990, my laboratory worked together with the laboratory of Prof. David Wallach at the Weizmann Institute of Science in Rehovot, Israel, in order to clone antibodies to TBP-II.

Mice were immunized with antigen in Prof. Wallach's laboratory and sent to my laboratory at Inter-Lab where the mouse cells were harvested and fused with myelomas in order to form hybridomas.

The hybridomas were cloned in my laboratory and the supernatants from the cloned hybridomas were then sent to Prof. Wallach's laboratory for screening. The hybridomas

which were identified as testing positive, were then subcloned in my laboratory and stored in liquid nitrogen in the storage facility maintained at Inter-Lab Ltd. The storage facility is under my general supervision.

Numbers were assigned to the hybridomas by my laboratory. When the hybridomas were first made, they were assigned consecutive numbers and the hybridomas have been consistently referred to by the same numbers from the day they were cloned until the present. When the original clones were subcloned in our laboratory, we assigned a subclone number which followed the clone number after either a hyphen or a period.

Monoclonal antibody 67 was among those antibodies identified in the screening in Prof. Wallach's lab. Once Prof. Wallach informed us that clone 67 tested positive, we prepared subclones of this clone and stored the clone and subclones in liquid nitrogen in the storage facility of Inter-Lab Ltd. Samples of this clone and subclones have been maintained in our storage facility from a date prior to April 1, 1990, to the present. In 1993, I was instructed to send samples of this clone to the Collection Nationale de Cultures de Microorganismes at the Institut Pasteur to be deposited there. The hybridoma sent to CNCM by me, which was received and deposited by CNCM on October 13, 1993, was taken from the

hybridomas maintained in storage at Inter-Lab Ltd. and is the same hybridoma identified as monoclonal antibody 67 since its original cloning and screening and, on information and belief, is the same hybridoma which has been referred to in the publications and patent applications coming out of Prof. Wallach's lab in relation to TBP-II which refer to monoclonal antibody 67.

The undersigned declares further that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

August 31, 00
Date


Danny Suisa